

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TATYANA RUZHINSKAYA, as Administratrix  
of the Estate of MARINA ROCHNIAK, Deceased,  
on behalf of herself and all others similarly  
situated,

Plaintiff,

v.

HEALTHPORT TECHNOLOGIES, LLC,

Defendant.

Case No.: 1:14-cv-02921 (PAE)

ECF Case

**NOTICE OF HEALTHPORT TECHNOLOGIES, LLC'S  
MOTION IN LIMINE NO. 4**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant's Motion *In Limine* No. 4; the Declaration of Seth A. Litman dated September 2, 2016 and the exhibits annexed thereto; and all prior pleadings and proceedings had herein, Defendant HealthPort Technologies, LLC ("HealthPort"), will move this Court, before the Honorable Paul A. Engelmayer, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time designed by the Court, for an Order (i) granting HealthPort's Motion *In Limine* No. 4 to exclude any evidence or argument relating to irrelevant rate information unrelated to the claims or defenses in this litigation; and (ii) for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that any opposition to Defendant's Motion *In Limine* No. 4 is due on September 16, 2016 and any reply in further support is due on September 23, 2016 pursuant to the Amended Pre-Trial Schedule Order dated August 4, 2016 [Dkt. 190].

Dated: September 2, 2016  
New York, New York

Respectfully submitted,

THOMPSON HINE LLP

By: /s/ Seth A. Litman

Seth A. Litman (admitted *pro hac vice*)

(seth.litman@thompsonhine.com)

Rebecca Brazzano

(rebecca.brazzano@thompsonhine.com)

335 Madison Avenue  
New York, New York 10017  
(212) 344-5680

-and-

LYNCH DASKAL EMERY LLP

James R. Lynch

Scott R. Emery

137 West 25th Street, Fifth Floor

New York, New York 10001

(212) 302-2400

*Attorneys for HealthPort Technologies, LLC*

TO: William H. Narwold  
Mathew P. Jasinski  
Michael J. Pendell  
Laura W. Ray  
MOTLEY RICE LLC  
20 Church Street, 17th Floor  
Hartford, CT 06103  
Tel.: (860) 882-1681  
Fax: (860) 882-1682  
[bnarwold@motleyrice.com](mailto:bnarwold@motleyrice.com)  
[mjasinski@motleyrice.com](mailto:mjasinski@motleyrice.com)  
[mpendell@motleyrice.com](mailto:mpendell@motleyrice.com)  
[lray@motleyrice.com](mailto:lray@motleyrice.com)

*Class Counsel*

**CERTIFICATE OF SERVICE**

I certify that on September 2, 2016, I caused a true and correct copy of the foregoing to be served by depositing a true copy of the same in a properly addressed postage-prepaid wrapper by Federal Express and by electronic mail to:

MOTLEY RICE LLC  
William H. Narwold  
Mathew P. Jasinski  
Michael J. Pendell  
Laura W. Ray  
20 Church Street, 17th Floor  
Hartford, CT 06103  
[mjaskinski@motleyrice.com](mailto:mjaskinski@motleyrice.com)  
[bnarwold@motleyrice.com](mailto:bnarwold@motleyrice.com)  
[mpendell@motleyrice.com](mailto:mpendell@motleyrice.com)  
[lray@motleyrice.com](mailto:lray@motleyrice.com)

*Class Counsel*

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

---

/s/*Dwayne Lunde*  
Dwayne Lunde